

United States Department of Agriculture

FOOD, DRUG, AND INSECTICIDE ADMINISTRATION

NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT

[Given pursuant to section 4 of the food and drugs act]

16576-16600

[Approved by the Secretary of Agriculture, Washington, D. C. January 29, 1930.]

16576. Misbranding of Red Caps. U. S. v. 11 Dozen Packages of Red Caps. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 23452. I. S. No. 05027. S. No. 1584.)

On February 21, 1929, the United States attorney for the District of Kansas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 11 dozen packages of Red Caps at Atchison, Kans., alleging that the article had been shipped by the Campbell Laboratories, from St. Joseph, Mo., on or about January 16, 1929, and transported from the State of Missouri into the State of Kansas, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that the capsules contained antipyrine, asafoetida, podophyllin, capsicum, starch, and a trace of alkaloids.

It was alleged in the libel that the article was misbranded in that the following statements regarding the therapeutic or curative effects of the said article, appearing on the carton and in the circular, (carton) "For * * * Grip * * * take one Red Cap every half hour until 3 are taken; then one every two hours until relieved. * * * Red Caps are used as a preventative as well as a remedy for * * * Grip * * * the liver is toned up," (circular) "For * * * Grip, also a preventative, if taken * * * they act directly on the liver," were false and fraudulent in that the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On March 19, 1929, the Campbell Laboratories, St. Joseph, Mo., having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a bond in the sum of \$250, conditioned in part that it be rebranded.

ARTHUR M. HYDE, *Secretary of Agriculture.*

16577. Misbranding of Bel-Caps. U. S. v. 7 Dozen Packages of Bel-Caps. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 23398. I. S. No. 03590. S. No. 1527.)

On February 16, 1929, the United States attorney for the Northern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 7 dozen packages of Bel-Caps at Syracuse, N. Y., alleging that the article had been shipped by W. E. Shuit, Clifton, N. J., on or about January 1929, and transported from the State of New Jersey into the State of New York, and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that the capsules contained ammonium, iron, and calcium compounds, sulphates, carbonates, chlorides, bromides, camphor, aloin, small amounts of alkaloids, and extracts of plant drugs including a laxative drug.